

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ITW

In re Patent Application of

Atty JRL-550-466

Dkt.

C# M#

FLYNN et al

C/A.U.

2189

Serial No. 10/691,501

Examiner: Dinh, Ngoc V.

Filed: October 24, 2003

Date: May 5, 2008

Title: HARDWARE DRIVEN STATE TRANSITION RESTORE IN A DATA PROCESSING SYSTEM



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment **24** minus highest number
previously paid for **24** (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment **2** minus highest number
previously paid for **3** (at least 3) = 0 x \$210.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$370.00 (1203)/\$185.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)
One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$460.00 (1252)/\$230.00 (2252)
Three Month Extensions \$1050.00 (1253)/\$525.00 (2253)
Four Month Extensions \$1640.00 (1254)/\$820.00 (2254)
Five Month Extensions \$2,230.00 (1255)/\$1115.00 (2255) \$

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 0.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE \$ 0.00

☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYTE P.C.
By Atty: John R. Lastova, Reg. No. 33,149

Signature:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of

FLYNN et al

Atty. Ref.: 550-466; Confirmation No. 7230

Appl. No. 10/691,501

TC/A.U. 2189

Filed: October 24, 2003

Examiner: Dinh, Ngoc V.

For: HARDWARE DRIVEN STATE SAVE/RESTORE IN A DATA PROCESSING SYSTEM

* * * * *

May 5, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR RECONSIDERATION

Responsive to the Official Action dated February 6, 2008, Applicants respectfully request reconsideration.

Claims 1, 2, 13, and 14 stand rejected under 35 U.S.C. §102 for anticipation based on newly-cited Nishimura. This rejection is respectfully traversed.

To establish that a claim is anticipated, the Examiner must point out where each and every limitation in the claim is found in a single prior art reference. *Scripps Clinic & Research Found. v. Genentec, Inc.*, 927 F.2d 1565 (Fed. Cir. 1991). Every limitation contained in the claims must be present in the reference, and if even one limitation is missing from the reference, then it does not anticipate the claim. *Kloster Speedsteel AB v. Crucible, Inc.*, 793 F.2d 1565 (Fed. Cir. 1986). Nishimura fails to satisfy this rigorous standard.